

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 292234  
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /033 R

DRAFTED BY EB/OA:MHSTYLES

APPROVED BY EB/OA - MHSTYLES

EB/AVP - AJWHITE

EUR/EE - JSEYMOUR

EB/AN - WARILEY

EB/AVP - GGRIFFITHS

CAB:JDEEGAN

CAB: RMILLER

-----087825 080112Z /12

P 072243Z DEC 77

FM SECSTATE WASHDC

TO AMEMBASSY WARSAW PRIORITY

LIMITED OFFICIAL USE STATE 292234

E.O. 11652: N/A

TAGS: EAIR, PL, US

SUBJECT: CIVAIR - LOW AIR FARES AND CHARTERS

REF: (A) WARSAW 8683, (B) STATE 264671

1. IT APPEARS THAT POLISH AVIATION POLICY IS INCREASINGLY FOCUSING ON DEVELOPING LOT'S SCHEDULED SERVICES TO US AND ON RESTRICTING CHARTER FLIGHTS OF US AIRLINES. POLES HAVE TAKEN NO STEPS TOWARD POSSIBLE LOOSENING UPON CHARTERS, AS WE ENCOURAGED THEM TO DO IN CONSULTATIONS. IN FACT, THEY RECENTLY DISAPPROVED WITHOUT QUALIFICATION A PAN AM APPLICATION TO OPERATE AN ABC CHARTER PROGRAM OF SIXTY-TWOFLIGHTS BETWEEN US POINTS AND POLAND NEXT YEAR ON LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 292234

GROUNDS THAT POLAND'S POLICY IS NOT TO ACCEPT ADVANCE BOOK-ING CHARTERS. AT SAME TIME, LOT WANTS TO INTRODUCE SUPER APEX FARE WHICH IS COMPETITIVE WITH ABC CHARTERS AND WHICH MAY, IN FACT, BE PREDATORY.

2. USG SUPPORTS LOW AIR FARES, SUCH AS SUPER APEX AND CONTINUES TO BE WILLING TO ALLOW THEM ON EXPERIMENTAL BASIS

PURSUANT TO AD HOC AGREEMENT AS SET FORTH STATE 264671. HOWEVER, POLISH RESPONSE REPORTED WARSAW 8683 IS NOT ONLY A NON-RESPONSE TO US PROPOSAL FOR AN AD HOC AGREEMENT (SEE PARA 3 BELOW) BUT ALSO IMPLIES THAT APPROVAL OF

SUPER APEX FARES SHOULD BE ACCCOMPANIED BY AN AGREEMENT TO LIMIT CHARTER FLIGHTS. WE DRAW THIS LATTER INFERENCE FROM PARA 4WARSAW 8683 AND FROM POSITION TAKEN BY POLES DURING SEPTEMBER CONSULTATIONS. USG IS NOT ABOUT TO MAKE SUCH A DEAL. ON THE CONTRARY, WHILE WE WILL ALLOW SUPER APEX ON EXPERIMENTAL BASIS IF AD HOC AGREEMENT CONCLUDED, WE SHOULD PUT POLES ON NOTICE THAT IF THEY CONTINUE TO RESTRICT CHARTERS US LIKELY TO REFUSE TO ALLOW SUPER APEX TO CONTINUE AFTER MARCH 31. THUS POLES WILL ACHIEVE ONLY A SHORT-TERM GAIN FROM OFFERING SUPER APEX IF THEY DO NOT CHANGE THEIR CHARTER POLICY.

3. GOP NOTE IN WARSAW 8683 IS NON-RESPONSE TO US PROPOSAL BECAUSE IT CONTAINS EXTRANEOUS COMMENT AND ASSUMPTIONS WHICH DO NOT FOLLOW FROM THE US NOTE. MOREOVER, NOTE CONTAINS A FACTUAL DISCREPANCY IN REFERRING TO 45 DAYS ADVANCE NOTICE FOR CANCELLATION. US NOTE REFERRED TO SIX WEEKS ADVANCE NOTICE.

4. IF POLES ARE PREPARED TO NEGOTIATE AN AGREEMENT ACCEPTING A LIBERAL CHARTER ENVIRONMENT, WE WOULD BE READY LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 292234

TO RESUME CONSULTATIONS FOR THIS PURPOSE, BUT WE ARE NOT PREPARED TO CONSULT IF THE POLISH OBJECTIVE IS TO REACH AGREEMENT RESTRICTING CHARTERS. IN ANY EVENT, WE COULD NOT SCHEDULE TALKS DURING DECEMBER IN WARSAW.

. IN LIGHT FOREGOING, REQUEST EMBASSY RESPOND TO POLES ALONG FOLLOWING LINES, DRAWING ON PREVIOUS PARAS AS NECESSARY. WE SUGGEST RESPONSE BE ORAL:

A. IN ORDER ALLOW LOT'S SUPER APEX FARE INTO EFFECT, WE MUST HAVE AN UNQUALIFIED ACCEPTANCE OF US NOTE (STATE 264671). HOWEVER, WE ARE WILLING TO HAVE THE SAME CONDITIONS APPLY TO PAN AM'S FARE FILING. THIS CAN BE DONE BY AMENDING FIRST SENTENCE OF US NOTE TO READ: "I HAVE THE HONOR TO REFER TO TARIFF FILINGS MADE BY LOT AND PAN AM FOR VARIOUS LOW FARE ETC." AND BY MENTIONING BOTH LOT AND PAN AM IN SIXTH SENTENCE.

B. GOP SHOULD BE AWARE THAT USG LIKELY TO INVOKE AR HOC AGREEMENT TO SUSPEND LOT'S SUPER APEX FARE IF POLAND CONTINUES ITS RESTRICTIVE CHARTER POLICY. THUS LOT COULD ACHIEVE ONLY SHORT TERM GAIN UNLESS POLAND WILLING LIBERALIZE CHARTER ENVIRONMENT.

C. POLISH ACTION DISAPPROVING PAN AM'S CHARTER PROGRAM  
DOES NOT AUGUR WELL FOR FUTURE PROSPECTS OF SUPER APEX.  
USG URGES POLAND RECONSIDER.

D. WE WILLING RESUME CONSULTATIONS ONLY IF POLES PRE-  
PARED NEGOTIATE A LIBERAL CHARTER AGREEMENT. THERE WOULD  
BE NO PURPOSE IN CONSULTING FURTHER IF POLES ARE ONLY  
INTERESTED IN RESTRICTING CHARTERS. CHRISTOPHER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AIR FARES, SUPPLEMENTAL AIRLINES, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 07-Dec-1977 12:00:00 am  
**Decapton Date:** 01-Jan-1960 12:00:00 am  
**Decapton Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE292234  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MHSTYLES  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770455-0595  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19771281/aaaacqv.tel  
**Line Count:** 124  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 5b819009-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 WARSAW 8683, 77 STATE 264671  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 03-Mar-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 322829  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CIVAIR - LOW AIR FARES AND CHARTERS  
**TAGS:** EAIR, PL, US  
**To:** WARSAW  
**Type:** TE  
**vdkgwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/5b819009-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009